

Investigation into the Wholesale Billing Practices of  
Wisconsin Bell, Inc. d/b/a SBC Wisconsin

6720-TI-183

*This form is designed to have carriers identify and document issues in advance of the July 30, 2003 prehearing conference. It will also be used to track issues as issues are discussed during subsequent prehearing conferences. Carriers are not precluded from raising additional issues at or even after the July 30, 2003 prehearing conference, but Carriers will be expected to complete this form as issues are subsequently raised. Notwithstanding, all carriers are encouraged to submit as many of their issues as possible prior to the July 30, 2003 prehearing conference. A date will be established at a subsequent prehearing conference after which no new issues will be permitted.*

- 1. Please complete a separate form for each issue.*
- 2. Time permitting and to the extent possible, carriers with similar issues are encouraged to make a joint submission.*
- 3. Please do not include any confidential and/or CPNI information. How to handle confidential and/or CPNI information will be discussed at the July 30, 2003 prehearing conference.*
- 4. Please return to Nick Linden by e-mail ([nicholas.linden@psc.state.wi.us](mailto:nicholas.linden@psc.state.wi.us)) no later than the close of business (COB) Friday, July 25, 2003.*

Submitted by: SBC

Contact: **Richelle Barker**  
Telephone Number: **(414)-227-6915**  
e-mail: **rb8434@sbc.com**

Subject Matter Expert (SME): **Brian Van Hoof**  
Telephone Number: **(414)-227-6981**  
e-mail: **bv3165@sbc.com**

Authorized Representative: **Brian Van Hoof**  
Telephone Number: **(414)-227-6981**  
e-mail: **bv3165@sbc.com**

Name: **Minute of Use Disputes**  
Brief Description: **CLECs have billed SBC for local and intralata toll minutes of use that did not originate from SBC end users. The total outstanding dispute is approximately \$12M. CLECs involved are:**  
**Northern Telephone and Data**  
**Net LEC**  
**ATT**

TCG  
MCI  
Time Warner  
KMC Telecom  
McLeod/Ovation  
TDS Metrocom  
Choice One  
CTC Communications  
Sprint

Please answer the following questions:

1. When this issue was first discovered? **11/1998**
2. How many occurrences and approximately over how long a period of time?  
**Monthly occurrence since 1998**
3. Is it a recurring problem? **Yes**
4. Your belief as to the cause of the problem. **Faulty CLEC billing system/logic that may not be removing UNE traffic, ported traffic or traffic originated by third parties from the minutes of use CLEC bills to SBC. Additionally, there is the potential that the CLEC billing systems could be using faulty logic in the creation of usage bills to SBC, such as billing SBC for connect time versus conversation time.**
5. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. **This does not appear to be a contract or tariff issue to SBC. It appears to be more of a process issue with CLEC billing systems and processes.**
6. What priority would you give this issue? In other words, how would you rank this issue in terms of importance and urgency: High, Medium or Low? **High**
7. Any other pertinent information?

Please answer the following questions:

1. Was this issue raised with the opposing carrier? If so, when and how? **Each month that SBC receives an invoice with inappropriate charges, in accordance with the Interconnection Agreement, SBC notifies the CLEC of the dispute by sending a letter notifying the CLEC of the dispute type and the amount of the dispute. In some cases, SBC has gone so far as to provide a month worth of call detail to CLECs to justify the amounts SBC has paid and disputed. In most of these cases where data has been exchanged, SBC has also helped the CLEC identify flaws in CLEC billing system logic as well as helped identify other carriers that are sending traffic to CLEC.**
2. Was this issue escalated for dispute resolution? If so, when and in what forum? **In many cases, the dispute has been escalated per the dispute resolution section of the ICA.**
3. Last known position of the opposing carrier. **In many cases, CLECs assert that since the traffic came over the SBC trunk groups, SBC has responsibility for compensating CLEC for such traffic, even though transit traffic may come over**

*the same trunk groups.*

4. Were any bill adjustments made to resolve this issue? *In some cases, adjustments have been made, but only after extensive analysis of CLEC billing systems and data exchanges.*
5. Were any policies or procedures changed to address this issue? If so, what changes were made?

*(Described relief desired or needed including, but not limited to, proposed changes to Performance Measurements (PMs).) SBC seeks to have CLECs credit SBC for minutes of use that SBC has disputed because those minutes did not originate from SBC end users. SBC also requests that CLEC refrain from billing SBC for these minutes of use on all future invoices.*

*(Briefly respond to submitting carrier(s) by either agreeing or disagreeing with statements made above, and by answering the following questions.)*

#### **A. Analysis of Issue**

1. Your belief as to the cause of the problem. *MCI believes that the cause of the alleged problem is the absence of real-time identifiers indicating that the calls in question originated from a third party provider. MCI has been able to identify that, in some instances, it has billed for traffic originating from a UNE-P customer of a third party. There currently appear to be no real-time identifiers to indicate that such calls originated with a third party provider.*
2. Does this issue involve an interpretation and/or application of law, contract or tariff? If so, please explain. *It is unlikely that interpretation of the interconnection agreement is at issue. However, the agreement does anticipate the transmittal of data in the signaling transmitted with the call that identify the fact that a third party carrier originated the call (13-State Reciprocal Compensation Agreement at Sections 14.2.1 and 14.2.2). SBC does not transmit such signals today. MCI does receive after-the fact information from SBC that purports to categorize such calls by the originating carrier. These files are currently provided at such a high level that they do not provide MCI sufficient detail regarding third party carrier originated calls to allow MCI to bill appropriately for these calls.*
3. What performance measures can be implemented to monitor the desired system operation? *N/A*
4. Any other pertinent information? *When asked whether SBC, at all times covered under these allegations of misbilling, provided carrier identification codes ("CICs"), access carrier name abbreviations ("ACNAs"), or other carrier identification to MCI for the allegedly misbilled calls, SBC responded that "SBC merely is aware of the existence of, and an amount for, misbilling. The exact cause of the misbillings is within MCI's control and hopefully will be determined in this proceeding." In other words, SBC has been unable to demonstrate that it has provided MCI with the information necessary to bill accurately.*

#### **B. Prior Attempts to Resolve the Issue**

1. Last known position of the submitting carrier. ***SBC paid the undisputed amounts and withheld the disputed amounts. The pre-petition amount identified by SBC in its answers to MCI's questions has been settled as part of a bankruptcy settlement agreement that has been submitted to the bankruptcy court. Post-petition amounts are still subject to dispute.***
2. Were any bill adjustments made to resolve this issue? ***See answer to B.1, above.***
3. How were the adjustments communicated to the submitting carrier? Please attach any relevant accessible letter(s). ***Through the bankruptcy settlement negotiations between the parties and the resulting settlement agreement.***
4. Identify any other carrier(s) known to have experienced similar problems. ***None known currently. Investigation continues.***
5. Did you identify any other problems arising from or related to this issue? ***No.***
6. What steps, if any, did you take to proactively identify other billing issues arising from or related to this issue? Please attach any relevant accessible letter(s). ***Investigation is still underway to determine if there could be related issues.***
7. Were any policies or procedures changed to address this issue? If so, what changes were made? ***MCI is auditing its billing systems. As problems are identified, they will be addressed.***

Submitted by: ***MCI Entities***

Contact: Counsel for MCI: ***Deborah Kuhn/Niles Berman***  
Telephone Number: ***(312) 260-3326/(608) 441-3824***  
e-mail: ***deborah.kuhn@mci.com/nberman@wheelerlaw.com***

Subject Matter Expert (SME): ***Carol Kuglich/Danny Savage***  
Telephone Number: ***(630) 795-6354/(703) 886-1878***  
e-mail: ***carol.kuglich@mci.com/danny.d.savage@mci.com***

Authorized Representative: ***Contact Counsel***  
Telephone Number:  
e-mail: